

1 Danilo Igtanloc  
 2 2370 Tamalpais Ave.  
 3 Brentwood, CA 94513  
 4 Phone (925) 642-9065  
 5 Defendant in Propria Persona.

FILED  
 AUG 11 2008  
 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND

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 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND  
 MR  
 ADR

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

7 US BANK, NATIONAL ASSOCIATION AS  
 8 TRUSTEE FOR JPM ALT 2006-A1

9 Plaintiff;

10 VS.

11 DANILO IGTANLOC and DOES 1 through  
 12 100 Inclusive;

13 Defendants.

Case No. C08-03822 Cw  
 State Case No. 08-1692

**PETITION FOR REMOVAL**

28 USC 1331, 1332,  
 28 USC 1441(a)(b)(c), 1443  
 28 USC 1446, FRCP 81(c)

14 TO The Honorable Judges of the United States District Court for the Northern District of  
 15 California:

16 Petitioner, Danilo Igtanloc, appearing Pro. Se. respectfully shows this Court:

17 1. Petitioner is the Defendant in the above-entitled action.  
 18 2. The above-entitled and pending civil action was filed in the Superior Court of  
 19 the State of California County of Contra Costa, Pittsburg Branch-Civil Limited on August  
 20 01, 2008.  
 21 3. The issue of Plaintiff's foreclosure and Unlawful Detainer is a complex litigation  
 22 in that Defendant has a claim against this claimant and others for FRAUD including  
 23 violations of 15 U.S.C. § 1611 et seq.; 26 U.S.C. § 2605 et seq.; 15 U.S.C. § 1602 et  
 24 seq.; 15 U.S.C. § 1692.; which does not appear on the face of Plaintiff's complaint,  
 25 however the constitutionality of the application of the Unlawful Detainer Statutes  
 26 California Code of Civil Procedure section 1161a et seq. as applied to Defendants after a  
 27

1 non-Judicial foreclosure is in issue, as well as the Non-judicial foreclosure itself under  
2 Cal. Civ. Code sec 2924.  
3

4 The issue is the lack of both substantive and procedural Due Process in the foreclosure  
5 proceedings as there is no opportunity to defend against a wrongful foreclosure, and  
6 thereafter no defense to the Unlawful Detainer stemming there from.

7 4. This is a diversity action as Defendant is a Citizen of the State of California and  
8 Plaintiff is a corporation which operates internationally in several countries outside the  
9 United States, with its main offices on information and belief to be at 800 Nicollet Mall  
10 Minneapolis, MN 55402.

11 Federal question in the following:

12 (A) Cal Civ. Code Sec 2924 was unconstitutionally applied to Defendant as there  
13 was no opportunity to defend against a wrongful foreclosure, there was no  
14 independent source to complain to too stop or prevent a wrongful or fraudulent  
15 foreclosure.

16 (B) California Code of Civil Procedure 1161a is applied to Plaintiff and all parties in  
17 a foreclosure action as a grinding mill, the time allowed for defense in  
18 insufficient to prepare a "real" defense to this type of eviction, and NO real  
19 defense is even allowed, the issue of the foreclosure being improperly carried  
20 out, or unlawfully carried out, and whether the title was properly obtained is a  
21 non issue in this type of complaint under California Law, and is not allowed to  
22 be litigated, this code gives the illusion of providing a procedure where Due  
23 Process is obtained but not the reality of receiving a meaningful procedure  
24 either in form or substance as being substantive or procedural Due Process.

26  
27 5. In the present case, apparently JPM ALT 2006-A1 remained in hiding as a  
28 beneficiary, and JP Morgan Chase Bank, N.A. claimed to be the Beneficiary, and the  
Lender, and in turn Chase Home Finance, LLC as Loan Servicer claimed the right to the

1 payments, no where in this chain did US Bank, National Association as Trustee for JPM  
2 ALT 2006-A1 ever appear, and this defendant does not believe (i) that the property was  
3 properly foreclosed, and (ii) that US Bank, National Association as Trustee for JPM ALT  
4 2006-A1 has standing to evict. Defendant has a counter claim that ~~has been filed and~~  
5 <sup>will be</sup> ~~as~~ and  
6 intends to join the two cases for trial.

7 6. Plaintiff has attached a true and correct copy of the Complaint dated August 01,  
8 2008 hereto as Exhibit "1"

9 7. The above-entitled matter was commenced against Petitioner in the Superior  
10 Court and is now pending therein as Case No. 08-1692.

11 8. On or about August 9, 2008, Defendant was served with a Summons and  
12 Complaint in the above-entitled action.

13 9. The amount of money in controversy is currently in excess of \$500,000 which is  
14 the value of the Property taken wrongfully, through the State non-judicial foreclosure and  
15 is not under \$25,000 as Plaintiff alleges for the Superior Courts limited courts Jurisdiction.

16 10. This Court has original jurisdiction over these proceedings by virtue of 28 USC  
17 1331, as a significant Federal question has been raised. Therefore, this matter may be  
18 removed pursuant to 28 USC 1441(a)(b).

19 11. This Court has further original Jurisdiction under 28 USC 1332 as Plaintiff is a  
20 resident and has there primary place for doing business in the State of Minnesota and  
21 Defendant is a resident of California

22 12. This court also has original jurisdiction as this is a matter that falls under Title  
23 42 section 1983 ("The CIVIL Rights Act") which provides:

24 ///

25 ///

1 Every person who, under color of any statute, ordinance, regulation, custom, or  
2 usage, of any State or Territory or the District of Columbia, subjects, or causes to  
3 be subjected, any citizen of the United States or other person within the jurisdiction  
4 thereof to the deprivation of any rights, privileges, or immunities secured by the  
5 Constitution and laws, shall be liable to the party injured in an action at law, suit in  
6 equity, or other proper proceeding for redress, except that in any action brought  
7 against a judicial officer for an act or omission taken in such officer's judicial  
8 capacity, injunctive relief shall not be granted unless a declaratory decree was  
9 violated or declaratory relief was unavailable. For the purposes of this section, any  
10 Act of Congress applicable exclusively to the District of Columbia shall be  
11 considered to be a statute of the District of Columbia.

12 13. That Declaratory relief is unavailable in the limited court and this action  
14 because of the limited amount of time allowed prior to trial and the lack of defenses that  
15 will be heard.

16 14. That this Court has Original Jurisdiction to hear and determine matters under  
17 title 42 section 1983 by virtue of 28 USC 1443.

18 15. The Petitioner has filed with the Clerk of the United States District Court within  
19 30 days after service on Petitioner of the aforesaid Complaint in the above-entitled action,  
20 this Petition for Removal.

21 WHEREFORE Petitioner prays that the above-entitled action be removed from the  
22 Superior Court to the United States District Court.

23 20 DATED Aug. 11 2008

24 21 Danilo A. Igtnlod

25 22 Danilo Igtnlod

26 23

27

28

1  
2 **VERIFICATION**  
34 STATE OF CALIFORNIA )  
5 COUNTY OF CONTRA COSTA )  
67 Danilo Igtanloc, under penalties of perjury, being first duly sworn, deposes and  
says:8 That he is the Petitioner in the above-entitled action; that he has read the  
9 foregoing and knows the contents thereof; that the same is true of his own personal  
10 knowledge, except for those matters therein stated upon his information and belief, and  
11 as to those matters he believes them to be true.12   
13 Danilo Igtanloc  
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**EXHIBIT “1”**

**Complaint dated August 01, 2008**

**SUMMONS**  
**(CITACION JUDICIAL)**  
**UNLAWFUL DETAINER—EVICTION**  
**(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESLAZOJO)**

**NOTICE TO DEFENDANT:**  
**(AVISO AL DEMANDADO):**  
 DANILO IGTANLOC; and DOES 1 to 20, inclusive

**YOU ARE BEING SUED BY PLAINTIFF:**  
**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**  
 US BANK, NATIONAL ASSOCIATION AS TRUSTEE FOR JPM ALT  
 2006-A1

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.courtinfo.ca.gov/selfhelp/espanol](http://www.courtinfo.ca.gov/selfhelp/espanol)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.courtinfo.ca.gov/selfhelp/espanol](http://www.courtinfo.ca.gov/selfhelp/espanol)) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:  
 (El nombre y dirección de la corte es):  
 SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY  
 45 CIVIC AVENUE

CASE NUMBER  
 (Número del caso):

ES 08-1692

PITTSBURG, CA 94565  
 PITTSBURG BRANCH-CIVIL LIMITED  
 The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
 (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
 EARL R. WALLACE, ESQ.  
 (949) 759-1080  
 RUZICKA & WALLACE, LLP (SBN #174247)  
 16520 BAKE PARKWAY, SUITE 280  
 IRVINE, CA 92618  
 (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400–6415)  did not  did not for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)

Clerk, by S. POLIONE Deputy  
 (Secretario) (Adjunto)

Date: AUG - 1 2008  
 Fecha:

For proof of service of this summons, use Proof of Service of Summons (form POS-010).  
 Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010).

SEAL

**4. NOTICE TO THE PERSON SERVED:** You are served

- a.  as an individual defendant.
- b.  as the person sued under the fictitious name of (specify):
- c.  as an occupant
- d.  on behalf of (specify):  
 under:  CCP 416.10 (corporation)  
 CCP 416.20 (defunct corporation)  
 CCP 416.40 (association or partnership)  
 CCP 415.46 (occupant)  CCP 416.60 (minor)  
 CCP 416.70 (conservatee)  
 CCP 416.90 (authorized person)  
 other (specify):

**5.  by personal delivery on (date):**

PLAINTIFF (Name): US BANK, NATIONAL ASSOCIATION AS TRUSTEE FOR JPM ALT 2006-A1 DEFENDANT (Name): DANILO IGTANLOC; and DOES 1 to 20, inclusive	CASE NUMBER:
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6. **Unlawful detainer assistant (complete if plaintiff has received any help or advise for pay from an unlawful detainer assistant):**

- a. Assistant's name:
- b. Telephone no.:
- c. Street address, city, and ZIP:
  
- d. County of registration:
- e. Registration no.:
- f. Registration expires on (date):

**NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.**

1. If you live here and you do not complete and submit this form within 10 days of the date of service shown on this form, you will be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. If you file this form, your claim will be determined in the eviction action against the persons named in the Complaint.
3. If you do not file this form, you will be evicted without further hearing.

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name):		
<b>NAME OF COURT:</b> SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY <b>STREET ADDRESS:</b> 45 CIVIC AVENUE <b>MAILING ADDRESS:</b> <b>CITY AND ZIP CODE:</b> PITTSBURG, CA 94565 <b>BRANCH NAME:</b> PITTSBURG BRANCH-CIVIL LIMITED		
<b>PLAINTIFF:</b> US BANK, NATIONAL ASSOCIATION AS TRUSTEE FOR JPM ALT 2006-A1 <b>DEFENDANT:</b> DANILO IGTANLOC; and DOES 1 to 20, inclusive		
<b>PREJUDGMENT CLAIM OF RIGHT TO POSSESSION</b>		<b>CASE NUMBER:</b> <b>DS 08-1692</b> <small>(To be completed by the process server)</small>
<b>DATE OF SERVICE:</b> <small>(Date that this form is served or delivered, and posted, and mailed by the officer or process server)</small>		

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is (specify):
2. I reside at (street address, unit No., city and ZIP code):
3. The address of "the premises" subject to this claim is (address):
4. On (insert date):  the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (This date is the court filing date on the accompanying Summons and Complaint.)
5. I occupied the premises on the date the complaint was filed (the date in item 4). I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed (the date in item 4).
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (the date in item 4).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of right to possession, I will be added as a defendant to the unlawful detainer (eviction) action.
0. (Filing fee) I understand that I must go to the court and pay a filing of \$  or file with the court the form "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file with the court the form for waiver of court fees within 10 days from the date of service on this form (excluding court holidays), I will not be entitled to make a claim of right to possession.

(Continued on reverse)

PLAINTIFF (Name): US BANK, NATIONAL ASSOCIATION AS TRUSTEE FOR JPM ALT 2006-A1	CASE NUMBER:
DEFENDANT (Name): DANILO IGTANLOC; and DOES 1 to 20, inclusive	

**NOTICE: If you fail to file this claim, you will be evicted without further hearing.**

11. (Response required within five days after you file this form) I understand that I will have five days (excluding court holidays) to file a response to the Summons and Complaint after I file this Prejudgment Claim of Right to Possession form.

12. **Rental agreement.** I have (check all that apply):

- a.  an oral rental agreement with the landlord.
- b.  a written rental agreement with the landlord.
- c.  an oral rental agreement with a person other than the landlord.
- d.  a written rental agreement with a person other than the landlord.
- e.  other (explain):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

**WARNING: Perjury is a felony punishable by imprisonment in the state prison.**

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF CLAIMANT)

**NOTICE: If you file this claim of right to possession, the unlawful detainer (eviction) action against you will be determined at trial. At trial, you may be found liable for rent, costs, and, in some cases, treble damages.**

### **- NOTICE TO OCCUPANTS -**

**YOU MUST ACT AT ONCE** if all the following are true:

1. You are NOT named in the accompanying Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed. (The date is the court filing date on the accompanying Summons and Complaint.)
3. You still occupy the premises.

(Where to file this form) You can complete and SUBMIT THIS CLAIM FORM WITHIN 10 DAYS from the date of service (on the reverse of this form) at the court where the unlawful detainer (eviction) complaint was filed.

(What will happen if you do not file this form) If you do not complete and submit this form (and pay a filing fee or file the form for proceeding in forma pauperis if you cannot pay the fee), YOU WILL BE EVICTED.

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. *If you do not file this claim, you will be evicted without a hearing.*

FILED  
PITTSBURG

2008 AUG - 1 P 2:19

K. TORRE, CLERK OF THE SUPERIOR COURT  
COUNTY OF CONTRA COSTA, CALIF.  
BY: S. POLIONE  
Deputy Clerk

BY: \_\_\_\_\_ Deputy Clerk

Earl R. Wallace, Esq. (State Bar Number 174247)  
RUZICKA & WALLACE, LLP  
16520 Bake Parkway, Suite 280  
Irvine, CA 92618  
Telephone: (949) 759-1080  
Facsimile: (949) 759-6813

Attorneys for Plaintiff, **US BANK, NATIONAL ASSOCIATION AS TRUSTEE FOR JPM ALT 2006-A1**

**SUPERIOR COURT OF CALIFORNIA**

## COUNTY OF CONTRA COSTA, PITTSBURG BRANCH-CIVIL LIMITED

US BANK, NATIONAL ASSOCIATION AS  
TRUSTEE FOR JPM ALT 2006-A1,

Case No.:

PS 08-1692

**Plaintiff,**

vs.

DANILO IGTANLOC; and DOES 1 to 20, inclusive.

## Defendants.

**LIMITED CIVIL CASE**

## COMPLAINT FOR UNLAWFUL DETAINER

**AMOUNT DEMANDED DOES NOT EXCEED  
\$10,000**

[California Code of Civil Procedure § 1161a]

**Plaintiff alleges:**

1. This court is the proper court for this action because:
  - a. Each Defendant resides and/or conducts business in the area served by this ;
  - b. The real property which is the subject of this action **2370 TAMALPAIS AVENUE, NTWOOD, CA 94513** (hereinafter, the "Property"), is located in the area served by this ; and
  - c. The amount of damages claimed in this action does not exceed \$10,000.00.

1       2. Plaintiff is informed and believes and thereon alleges that the Defendant(s), and  
2 each of them, are, and at all times herein mentioned, were residents of the County of CONTRA  
3 COSTA, State of California, and reside within the jurisdictional boundaries of this Court.

4       3. The true names and capacities of Does 1 through 20, inclusive, are presently  
5 unknown to Plaintiff, who therefore sues such Defendant(s) under such fictitious names  
6 pursuant to Section 474 of the Code of Civil Procedure. Plaintiff is informed and believes, and  
7 on such information and belief, alleges that each such "Doe" Defendant is in possession of the  
8 Property, without the permission or consent of Plaintiff, and Plaintiff will amend this complaint  
9 to state the true names and capacities of said Defendant(s) when the same have been  
10 ascertained.

11       4. Plaintiff is informed and believes, and thereon alleges that the Defendant(s) and  
12 each of them, are, and at all times mentioned herein were, the agent, servant and employee of  
13 each of the other Defendant(s), and in doing the things herein alleged, were acting within the  
14 course and scope of said agency and employment.

15       5. Plaintiff is the owner of and entitled to immediate possession of the Property.

16       6. The Property was sold in accordance with Section 2924 of the Civil Code, under  
17 power of sale contained in a deed of trust, and title under the sale has been duly perfected in  
18 Plaintiff.

19       7. On JULY 9, 2008, in the manner required by law, Plaintiff caused to be served  
20 upon Defendant(s), and each of them, a written notice ("Notice") to quit and deliver upon  
21 possession of the Property to Plaintiff within three (3) days after service of the Notice. A true  
22 and correct copy of the Notice and Proof of Service thereof are attached to this complaint  
23 collectively as Exhibit "A", and incorporated herein by this reference.

24       8. More than three (3) days have elapsed since the service of the Notice, but  
25 Defendant(s), and each of them, have failed and refused to deliver up possession of said  
26 premises to Plaintiff.

27       9. Defendant(s), and each of them, remain in possession of the Property without  
28 Plaintiff's permission or consent.

10. The reasonable rental value of the use and occupancy of the Property is the sum of at least \$50.00 per day, and damages to Plaintiff caused by Defendant(s)' unlawful detention thereof has accrued at said rate since JULY 14, 2008, and will continue to accrue at said rate so long as Defendant(s) remain in possession of the Property.

WHEREFORE, Plaintiff prays for judgment against Defendant(s) as follows:

1. For restitution of the Property;
2. For damages in the amount of at least \$50.00 per day from JULY 14, 2008 for day that Defendant(s) continue in possession of the Property through the date of entry of judgment;
3. For costs of suit incurred herein; and
4. For such other and further relief as the Court deems just and proper.

RUZICKA & WALLACE, LLP  
A California limited liability partnership

DATED: JULY 29, 2008

By: EARL R. WALLACE, Partner  
Attorneys for Plaintiff

## VERIFICATION

I am one of the attorneys for the Plaintiff in the above entitled action. The Plaintiff is absent from County in which I have my office, or the Plaintiff is otherwise unable to verify this pleading, and I make this verification for an on behalf of Plaintiff for that reason. I have read the foregoing Complaint for Unlawful Detainer and am familiar with its contents. I am informed and believe that the matters contained within it are true and on that ground allege that the matters stated are true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on JULY 29, 2008 at Irvine, California.

RUZICKA & WALLACE, LLP  
A California limited liability partnership

By: EARL R. WALLACE, Partner  
Attorneys for Plaintiff

# **EXHIBIT A**

## NOTICE TO QUIT

TO: DANILO A. IGTANLOC and all tenants, subtenants, and others in possession

ADDRESS: 2370 TAMALPAIS AVENUE  
BRENTWOOD, CA 94513

THE ABOVE-REFERENCED REAL PROPERTY ("PROPERTY") WAS SOLD IN ACCORDANCE WITH SECTION 2924 OF THE CALIFORNIA CIVIL CODE UNDER A POWER OF SALE CONTAINED IN A DEED OF TRUST SECURING SAID PROPERTY, AND TITLE UNDER THE SALE HAS BEEN DULY PERFECTED. THE NEW OWNER SEEKS IN GOOD FAITH TO RECOVER POSSESSION OF THE PROPERTY.

WITHIN THREE DAYS AFTER SERVICE OF THIS NOTICE, YOU ARE HEREBY REQUIRED TO VACATE AND DELIVER POSSESSION OF THE PROPERTY NOW HELD AND OCCUPIED BY YOU TO THE UNDERSIGNED UNLESS YOU ARE A TENANT OR SUBTENANT WHO RENTED THE PROPERTY BEFORE THE FORECLOSURE SALE. IN THAT EVENT, YOU ARE REQUIRED TO VACATE THE PROPERTY WITHIN THIRTY DAYS AFTER SERVICE OF THIS NOTICE.

THIS NOTICE IS INTENDED AS A NOTICE TO QUIT PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 1161a.

NOTE: IF YOU ARE NOT ONE OF THE PERSONS NAMED ABOVE OR YOU CLAIM TO BE A TENANT OR SUBTENANT WHO IS ENTITLED TO REMAIN IN THE PROPERTY FOR MORE THAN THREE DAYS, YOU MUST GIVE NOTICE TO THE UNDERSIGNED WITHIN THREE DAYS OF THE DATE THIS NOTICE IS SERVED.

RUZICKA & WALLACE, LLP  
A California limited liability partnership

DATED: JULY 8, 2008

  
By: Earl R. Wallace, Esq.  
Attorneys for the new owner: U.S. BANK,  
NATIONAL ASSOCIATION AS TRUSTEE FOR  
JPM ALT 2006-A1

16520 Bake Parkway, Suite 280  
Irvine, CA 92618  
Telephone: (949) 748-3619  
Facsimile: (949) 759-6813

**THIS NOTICE SUPERSEDES ALL PRIOR NOTICES TO QUIT;  
THIS IS THE OPERATIVE NOTICE**

CLIENT: RW

INV #: 10665 CLIENT INV #1: 083230

PLAINTIFF: US BANK

PERSON(S) SERVED: DANILO A. IGTANLOC  
AND ALL OTHERS IN POSSESSION

ADDRESS:

2370 TAMALPAIS AVENUE  
BRENTWOOD CA 94513

DOCUMENT(S) SERVED:  
3/60 DAY NOTICE TO QUIT

I, the undersigned, being at least 18 years of age, declare, under penalty of perjury, (under the laws of the State of California) that I served a copy of the above document(s) in the manner indicated below.

DATE: 7/9/08

TIME: 2:25 pm

#### CONSTRUCTIVE SERVICE - POST AND MAIL

On the date and time specified above, I posted a copy of the document(s) for each named occupant(s) in a conspicuous place there being no person of suitable age and discretion to be found at any of the named occupant(s) known place of residence or business.

I do not know any other place of business/residence of any occupant(s) named.

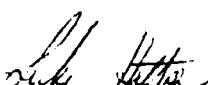
#### SERVICE OF MAIL

On the date specified above, I caused a copy of the document(s) to be mailed to each of the named via First Class, United States Mail, postage prepaid, in a sealed envelope to the address listed above.

---

DATE: 7/29/08 JLS

FEE: \$0.00

  
LUKE HATTON

California Registered Process Server, County of CONTRA COSTA  
Registration # 731

JENSEN LEGAL SERVICES, INC. 505 N. Tustin Ave., Suite 248 Santa Ana, CA  
92705 714-541-8825

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2  
3  
4 **CERTIFICATE OF SERVICE**  
5  
6

7 I hereby certify that on August 11, 2008, I did serve a true copy of the  
8 foregoing Notice together with copies of the Petition for Removal, on Earl R. Wallace,  
9 attorney of record for Plaintiff in the above-entitled action, by causing the same to be  
10 placed in the United States mail, postage thereon fully prepaid, and addressed to:

11 Earl R. Wallace, Esq.  
12 Ruzicka & Wallace, LLP  
13 16520 Bake Parkway, Suite 280  
14 Irvine, CA. 92618

15 Attorneys for US Bank, National Association as Trustee for JPM ALT 2006- A1

16 DATED Aug. 11, 2008

Danilo Ignanloc  
17 Danilo Ignanloc